IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 25TH AUGUST 2006 / 3RD BHADRA 1928

Bail Appl..No. 5266 of 2006

CMP.3849/2006 of J.M.F.C.,KATTAKADA
CRIME NO. 59/2006 OF KATTAKKADA EXCISE RANGE

.....

PETITIONER/ACCUSED (IN CUSTODY)

VINU KUMAR @ BINU, S/O PONU NADAR,
ALLUVILAVEEDU, MANJARAM MOOLA, MARANALLOOR,
NEYYATTINKARA.

BY ADV. SRI.A.RAJASIMHAN

RESPONDENTS: COMPLAINANT

EXCISE INSPECTOR,
KATTAKKADA EXCISE RANGE, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 25/08/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 5266/2006

DATED THIS THE 25TH DAY OF AUGUST, 2006

O R D E R

The petitioner remains in judicial custody, as he was found in illegal possession of two liters of illicit arrack on 2.8.2006, and therefore, C.R.No.59/2006 of Kattakkada Excise Range was registered against him. He faces the allegation, under Section 8(1) & (2) of the Abkari Act. Hence this application, under Section 439 Cr.P.C.

2. After hearing both sides and considering the duration of the Judicial detention together with the completion of the investigation, in respect of the petitioner, I grant bail and release the petitioner from jail, subject to the following conditions:-

(a). The petitioner shall execute a bond for Rs.25,000/-, with two solvent sureties, each for the like sum, to the satisfaction

of the Judicial Magistrate of First Class, Kattakkada.

(b). The petitioner shall report before the Investigating Officer, once in a week on every Thursday, between 10.00 a.m and 11.00 a.m., for a period of two months, starting from 31.8.2006.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs